

REMARKS

In the Office Action mailed April 21, 2004 the Examiner noted that claims 1-11 were pending, and rejected claims 1-11. Claims 1-9 have been amended, and, thus, in view of the forgoing claims 1-11 remain pending for reconsideration which is requested. No new matter has been added. The Examiner's rejections are traversed below.

In the Office Action the Examiner rejected claims 1-9 under 35 U.S.C. section 112 paragraph 2 as indefinite. The claims have been amended in consideration of the Examiner's comments and it is submitted they satisfy the requirements of the statute. If additional concerns with the claims arise, the Examiner is invited to telephone to resolve the same. Suggestions by the Examiner are also welcome. Withdrawal of the rejection is requested.

Page 5 of the Office Action rejects claims 1, 4 and 7 under 35 U.S.C. § 103 over the alleged admitted prior art, Proctor and Araujo.

With respect to the alleged admitted prior art, the Examiner acknowledges that it does not teach setting of priorities or withdrawing of a transfer waiting state.

Proctor is directed to a system in which packet priorities are set from 1 to 6 basically on the size of the data being transmitted. In contrast, in the present invention priority is set based on the type or kind of packet (see claims 1, 2, 4, 5, 7 and 8) with the types or kinds of packet including an internal register access packet, a response system, packet and command system packet (see claims 1, 2, 7 and 8). Araujo does not teach or suggest setting priority based on packet type and, thus, adds nothing to Proctor with respect to this feature of the present invention.

Araujo discusses buffer queuing where high priority traffic is queued behind low priority traffic. That is, the traffic is in the same queue. In contrast, in the present invention has packet buffers for each of the packet types or that have different priorities (see claims 1, 2, 4, 5, 7 and 8). Proctor does not teach or suggest buffers for each type of packet or priority and, thus, adds nothing to Araujo with respect to this feature of the present invention.

It is submitted that the invention of independent claims 1, 2, 4, 5, 7 and 8 distinguishes over the prior art and withdrawal of the rejection is requested.

Page 7 of the Office Action rejects claims 2, 5 and 8 under 35 U.S.C. § 103 over the alleged admitted prior art, Proctor, Araujo and Edwards.

The distinctions of the present invention with respect to the alleged admitted prior art, Proctor and Araujo are discussed above.

Edwards is directed to a system of bus transfers and does not address packet transfer. In addition Edwards adds nothing to Proctor or Araujo with respect to the features of claims 2, 5 and 8 as discussed above. Further, in the present invention the system is in a response inhibiting state of transmission permission based on an error and if the unit receives a transmit request for an internal register access packet of the highest priority, the unit responds and receives the packet (see claims 2, 5 and 8). These features of the invention are also not taught or suggested by Edwards.

It is submitted that the invention of independent claims 2, 5 and 8 distinguish over the prior art and withdrawal of the rejection is requested.

Page 9 of the Office Action rejects dependent claims 10 and 11 under 35 U.S.C. § 103 over the alleged admitted prior art, Proctor, Araujo and Miller. Page 10 of the Office Action rejects dependent claims 3, 6 and 9 under 35 U.S.C. § 103 over the alleged admitted prior art, Proctor, Araujo, Edwards and "Official Notice". These dependent claims depend from the above-discussed independent claims and are patentable over the prior art for the reasons discussed above. The dependent claims also recite additional features not taught or suggested by the prior art. For example, claim 3 emphasizes transmitting a specific type of packet, an "internal register access packet" and the prior art does not teach or suggest this. It is submitted that the dependent claims are independently patentable over the prior art.

It is submitted that the claims satisfy the requirements of 35 U.S.C. 112. It is submitted that the claims are not taught, disclosed or suggested by the prior art. The claims are therefore in a condition suitable for allowance. An early Notice of Allowance is requested.

If any further fees, other than and except for the issue fee, are necessary with respect to this paper, the U.S.P.T.O. is requested to obtain the same from deposit account number 19-3935.


Respectfully submitted,

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9/20/4

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